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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/420,208	10/18/1999	SHANE HERMAN	CSCO-48061	2479

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EXAMINER

NGUYEN, CHAU T

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 01/03/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/420,208

Applicant(s)

HERMAN ET AL.

Examiner

Chau Nguyen

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Amendment A, received on 10/15/2002, has been entered. Claims 1-32 are now presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 4-9, 11, 13-15, 18-22, 24-25 and 28-32 are rejected under 35 U.S.C. 102(e) as being unpatentable by Pallmann, Patent No. 6,094,684.

Art Unit: 2142

4. As to claim 1, Pallmann teaches the invention as claimed, a method for a local computer system to control a remote system over the Internet, comprising the steps of:

initiating a log-in procedure by the local computer system (col. 9, lines 10-65);

verifying whether a user is authorized to access the remote system (col. 9, lines 10-65);

accepting a command from an authorized user by the local computer system (col. 9, lines 10-65);

executing the command through a File Transfer Protocol to perform a function on the remote system (col. 9, line 49 – col. 10, line 10);

issuing a single script from the local computer system to command the remote system and to download data from the remote system, wherein the data downloaded from the remote system comprises a software program (col. 19, lines 55-65: machine 102 can be used with FTP clients that support the –s:scriptfile syntax on the command line; col. 44, lines 46-64: the user's internet browser might be invoked by issuing to the operating system an command that executes the browser and opens data; col. 5, line 64 – col. 6, line 16: machine 102 can retrieve and process data 102 from data 108 where data 108 is in a text format, HTML format, image files, audio and video files, and machine 102 also accepts a plug-ins (software program) that might process such files).

5. As to claim 4, Pallmann teaches the step of logging user commands for each session (col. 9, lines 10-65).

Art Unit: 2142

6. As to claim 5, Pallmann teaches the step of issuing a single script from the local computer system to command the remote system and to upload data to the remote system (Abstract, col. 9, lines 55-65, and col. 11, lines 1-25).

7. As to claim 6, Pallmann teaches the data uploaded to the remote system is used to update or configure the software running on the remote system (col. 20, lines 47-63).

8. As to claim 7, Pallmann teaches the step of issuing a single script from the local computer system to command the remote system and to download data from the remote system (Abstract and col. 9, lines 55-65).

9. As to claim 8, Pallmann teaches the data downloaded from the remote system comprises a software program (Abstract and col. 27, lines 33-54).

10. As to claim 9, Pallmann teaches the step of issuing command-line interface calls from a web-based graphical user interface (Fig. 13 and Fig. 30).

11. As to claim 11, Pallmann teaches the remote system is comprised of a server computer (col. 10, lines 11-26).

12. As to claim 13, Pallmann teaches the step of managing a plurality of remote systems from a single web-based control point (col. 10, lines 11-26).

13. As to claim 14, Pallmann teaches the step of transmitting both commands and content through a same IP port of the remote system (col. 8, lines 29-49).

14. As to claim 15, Pallmann teaches a server computer comprising:

- an IP port which accepts FTP commands from a client computer system (col. 8, lines 29-56);

- a processor coupled to the IP port which executes the FTP commands (col. 5, line 47 – col. 6, line 16; col. 6, lines 45-60; and col. 8, lines 29-49) ;

- a first memory coupled to the processor which contains a file system (Abstract);

- a first memory coupled to the processor for storing an operating system, wherein a remote user issuing the FTP commands from the client computer can administer the file system (col. 44, lines 46-64), wherein the IP port accepts a single script from the client computer system which causes the server computer to download a computer program from the server computer to the client computer system (col. 19, lines 55-65: machine 102 can be used with FTP clients that support the –s:scriptfile syntax on the command line; col. 44, lines 46-64: the user's internet browser might be invoked by issuing to the operating system an command that executes the browser and opens data; col. 5, line 64 – col. 6, line 16: machine 102 can retrieve and process data 102 from data 108 where data 108 is in a text format, HTML format, image files, audio and video files, and machine 102 also accepts a plug-ins (software program) that might process such files).

15. As to claim 18, Pallmann teaches a memory coupled to the processor for storing changes made during a session (col. 12, lines 21-33 and col. 19, lines 24-37).

16. Claims 19-22, 24-25 and 28-32 are corresponding system and product claims containing the similar limitations as the methods described in claims 1, 4-9, 11, 13-15 and 18; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 2-3, 16-17, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pallmann and further in view of Blum et al, Patent No. 6,182,141.

19. As to claim 2, Pallmann teaches the steps of:

issuing the command through the web browser on the local computer system
(col. 8, line 57 – col. 9, line 65);

transmitting the command as HyperText Transfer Protocol over the Internet (col. 8, line 57 – col. 9, line 65);

However, Pallmann does not teach processing the HyperText Transfer Protocol command into a File Transfer Protocol command and forwarding the File Transfer Protocol command to the remote system. Blum teaches a request such as an FTP request is encapsulated within HTTP by an encapsulation routine before reaching a proxy server, and the proxy server must then strip the FTP request from the HTTP

Art Unit: 2142

encapsulation before making a connection over the Internet in native FTP mode (col. 1, line 58 – col. 2, line 11). Since Blum teaches these limitations in an environment such as a computer system for communicating with a remote server through the Internet which is similar to the system of Pallmann, thus, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Pallmann and Blum to include processing the HyperText Transfer Protocol command into a File Transfer Protocol command and forwarding the File Transfer Protocol command to the remote system in order to provide a number of benefits.

20. As to claim 3, Pallmann-Blum teach the File Transfer Protocol command includes one of the commands for file creation, directory creation, file change, file removal, Unix file mode, user ownership change, group ownership change, and security permission (Pallmann, col. 14, lines 23-40).

21. Claims 16-17 and 26-27 are corresponding system and product claims containing the similar limitations as the methods described in claims 2-3; therefore, they are rejected under the same rationale.

22. Claims 10 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pallmann and further in view of Bowman-Amuah, Patent No. 6,332,163.

Art Unit: 2142

23. As to claim 10, Pallmann teaches the limitations as discussed above. However, Pallmann does not teach multiple users on a plurality of client computers access the remote system through a single log in. Bowman-Amuah teaches a system that allows users to access services and resources with a single log in regardless of where the user location is or where the resource location is (col. 64, lines 7-27). Thus, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Pallmann and Bowman-Amuah to include multiple users on a plurality of client computers access the remote system through a single login in order to make the system more efficient.

24. Claim 23 is corresponding system claim containing the similar limitations as the method described in claim 10; therefore, it is rejected under the same rationale.

25. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pallmann and further in view of Sridhar et al, Patent No. 6,324,582.

26. As to claim 12, Pallmann teaches the limitations as discussed above. However, Pallmann does not teach the remote system is a router. Sridhar teaches client and server computers are coupled to the Internet (handled by the Internet Protocol), which is connected by routers that forward packets towards their destinations (col. 1, lines 43-61 and col. 2, lines 27-42). Sridhar also teaches application layer protocols for file transfer, FTP (file transfer protocol), and for web page access, HTTP (hyper-text transfer

Art Unit: 2142

protocol) for the system (col. 3, lines 5-13). Thus, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Pallmann and Sridhar to include routers in a remote in order to make the system more efficient.

Response to Arguments

27. In the remarks, Applicant argued in substance that Prior art does not anticipate or render obvious a method for controlling a remote system over the Internet including the step of

(a) "issuing a single script from the local computer system to command the remote system and to download data from the remote system, wherein the data downloaded from the remote system comprises a software program."

As to point (a), Pallman discloses:

machine 102 can be used with FTP clients that support the -s:scriptfile syntax on the command line (col. 19, lines 55-65);

the user's internet browser might be invoked by issuing to the operating system an command that executes the browser and opens data (col. 44, lines 46-64);

machine 102 can retrieve and process data 102 from data 108 where data 108 is in a text format, HTML format, image files, audio and video files, and machine 102 also accepts a plug-ins (software program) that might process such files (col. 5, line 64 – col. 6, line 16).

28. Applicant's arguments filed on 10/11/2002 have been fully considered but they deemed to be persuasive.

28. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (703) 305-4639. The examiner can normally be reached at 8:00 am – 5:00 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Powell can be reached on (703) 305-9703. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3230.

Art Unit: 2142

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20131

Or Faxed to:

(703) 746-7239, (for **formal communications**; please mark
"EXPEDITE PROCEDURE").

Or:

(703) 746-7240 (for **informal or draft communications**, please label
"PROPOSED" or "DRAFT").

Or:

(703) 746-7238 (for **After Final Communications**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA., Sixth Floor (Receptionist).

Chau Nguyen
Patent Examiner
Art Unit 2152


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